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TAGS: [UNSC](#) [PREL](#) [UNKIK](#) [YI](#)
SUBJECT: KOSOVO: GUIDANCE FOR EMERGENCY UNSC SESSION

Classified By: UNDER SECRETARY FOR POLITICAL AFFAIRS NICHOLAS
R BURNS FOR REASONS 1.4 (B) AND (D).

¶1. (U) This cable includes background (para 2) and talking points (para 3) about Kosovo in the event that Russia or other UNSC members call for an emergency UN Security Council session immediately following Kosovo's declaration of independence but before the President has decided on recognition.

¶2. (C) BACKGROUND: We understand that the Kosovo Assembly will declare independence of Kosovo from Serbia on Sunday, February 17. The U.S. and a majority of EU states will formally recognize on Monday, February 18. The United Nations Interim Administration Mission in Kosovo (UNMIK) is not likely to make any official statements either supporting or opposing the declaration of independence. Serbia has stated firmly it will reject Kosovo's declaration, declaring it null and void. No statements should be made that prejudice the President's decision whether to recognize Kosovo.

¶3. (U) Text of statement for possible UN Security Council session on Kosovo:

BEGIN POINTS:

Mr. President, the conflicts of the former Yugoslavia, including Kosovo, have been on the Security Council agenda for many years. The Security Council first responded to the threats to international peace and security caused by Yugoslavia's violent, non-consensual breakup in the early 1990s. Throughout that decade, war wreaked havoc throughout the area, leading ultimately to a brutal policy of targeted attacks and ethnic cleansing committed by the Serb government of Slobodan Milosevic in Kosovo. In June 1999, the Security Council adopted resolution 1244, which required the Federal Republic of Yugoslavia to withdraw its military, paramilitary and police forces from Kosovo, and which suspended Belgrade's governance over Kosovo and placed Kosovo under interim UN administration. The resolution envisioned a political process to determine Kosovo's status but left open what that status would be.

In the subsequent years, UNMIK achieved much progress helping Kosovo recover from war and build democratic institutions. Nevertheless, we have heard from UN envoys Kai Eide and Martti Ahtisaari and the Secretary General himself that the status quo in Kosovo was unsustainable and that without quick action we risked a reversal of the progress made in the last eight years.

For over two years Belgrade and Pristina have been negotiating to resolve the status of Kosovo. UN Special Envoy Martti Ahtisaari led negotiations for over 15

months. When the parties could not reach agreement, President Ahtisaari submitted a comprehensive proposal that enjoyed broad international support, including from the EU, NATO, the UN Secretary General, and an overwhelming majority of Security Council members. That proposal included broad provisions to protect all communities in Kosovo; President Ahtisaari recommended that Kosovo be independent subject to a period of international supervision. Much to our regret, the Council did not adopt a resolution endorsing that plan. The EU-Russia-US troika continued negotiations for four months last fall. Despite the fact that the negotiators made intensive efforts, this final round of negotiations also did not produce an agreement.

These negotiations, however, did produce a comprehensive set of recommendations for Kosovo's future drafted by President Ahtisaari. This plan included comprehensive measures to protect the rights, security and culture of Kosovo's non-Albanian communities. He also recommended that Kosovo become independent subject to a period of international supervision. The United States has strongly supported President Ahtisaari's plan for Kosovo.

We had hoped that the Security Council would endorse President Ahtisaari's recommendations and help facilitate Kosovo's path forward.

Yet in spite of a majority of Council members supporting President Ahtisaari's recommendations, the Council did not act. Therefore, the people of Kosovo -- who have long been denied the clarity about their future needed for their social, economic and political development -- have decided to bring this issue to closure themselves. They did so in a mature, non-violent and responsible manner.

Kosovo's declaration of independence is a logical, legitimate, and legal response to the situation at hand. It is not contrary to UN Security Council resolution 1244, which aimed for an agreement between the parties but did not require one. As we have said before, Kosovo is truly a special case, and has been treated as such by the UN since 1999. The violent and non-consensual break-up of Yugoslavia, Milosevic's policies of oppression and ethnic cleansing that led the international community to act, the adoption of UNSCR 1244, under which Serbia has long been prevented from exercising normal governmental authority in Kosovo, and the UN-facilitated political process to help determine Kosovo's future status - all are factors that make the situation in Kosovo different from other conflicts, and one that does not set a precedent for other regions.

Kosovo now stands at an important threshold in its development. Fortunately, Kosovo has a blueprint -- the Ahtisaari Plan -- for its path to becoming a functional, multi-ethnic and democratic country.

In addition, the European Union has made an extraordinary offer to help Kosovo develop its rule of law sector and implement reforms required for EU membership. The United Nations should welcome this offer of support. New international presences are required to protect the UN's substantial investment in Kosovo and preserve the UN's legacy.

In its declaration of independence, Kosovo committed itself to upholding the highest principles of the UN Charter. Kosovo has said it seeks to become a responsible, peace-loving state. We should embrace these commitments and work to ensure that the entire region of southeast Europe can move forward toward a democratic, prosperous and stable future.

End Points.
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